



## FISCAL MEMORANDUM

### HB 2270 - SB 2736

February 28, 2022

#### **SUMMARY OF BILL AS AMENDED (014340):** Enacts *Nicholas' Law*.

Establishes that a prior conviction of boating under the influence must be treated the same as a prior conviction of driving under the influence for the purpose of determining penalties for a conviction of driving under the influence if the person was convicted of the prior offense within 10 years of the date of the present violation.

Establishes that a prior conviction of driving under the influence must be treated the same as a prior conviction of boating under the influence for the purpose of determining penalties for a conviction of boating under the influence if the person was convicted of the prior offense within 10 years of the date of the present violation.

#### **FISCAL IMPACT OF BILL AS AMENDED:**

**NOT SIGNIFICANT**

Assumptions for the bill as amended:

- Based on information provided by the Administrative Office of the Courts, during the last three fiscal years there was an average of two annual convictions in state courts for boating under the influence.
- It is assumed that only 10% of convictions for any given offense occur at the state level. Therefore, the average annual number of convictions statewide for boating under the influence is estimated to be 20 (2 x 10).
- It is unknown how many offenders of either boating or driving under the influence are also subsequently convicted of the other offense, or how many may be in the future. However, it is assumed to not significantly increase state or local incarcerations.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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